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TYCO 17674 (AT 20958-2034)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Powell et al.

Serial No.: 09/963,720

Filed: September 26, 2001

For: ULTRASONIC WELDED
CONNECTOR STICK

Art Unit: 2833

Examiner: Leon, Edwin A.

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Robert J. Kapalka

REQUEST FOR RECONSIDERATION

This communication responds to the Office Action dated March 8, 2006. There are no claim amendments.

Claims 15, 18-24, 26, 30-34, 36-39, 41 and 42 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Czaja (US 4,717,360) in view of Bunn et al. (US 6,383,820). Reconsideration is requested.

The claims relate to a connector stick device comprising a plurality of electrical connectors, and to a method for splicing cable to a plurality of electrical connectors. All of the claims include limitations wherein adjacent connectors are joined to each other by respective ultrasonic welds, and wherein the joined connectors are separable from each other by breaking the ultrasonic welds.

Czaja discloses a modular connector assembly that is molded as a unitary structure. The molded unitary connector assembly has break-away walls that permit portions of the assembly to be separated from the main structure, thereby forming individual connectors. Czaja does not

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disclose or suggest any joining together of individual connectors, and does not disclose the use of ultrasonic weld.

The Examiner points to Bunn et al. for disclosing the use of ultrasonic weld to join parts of an assembly, and from this disclosure the Examiner concludes that it would have been obvious to modify the connector assembly of Czaja by using ultrasonic weld to attach the individual connectors provisionally.

Applicant respectfully disagrees. Firstly, Czaja does not disclose or suggest any joining together of individual connectors. Czaja discloses a modular connector assembly that is molded as a unitary structure. The molded unitary connector assembly has break-away walls that permit portions of the assembly to be separated from the main structure, thereby forming individual connectors. Czaja does not describe or suggest any joining together of individual connectors. Therefore, it would not have been obvious to modify Czaja by using ultrasonic weld, because there would be no need to do so. Czaja is not interested in joining connectors together. Instead, Czaja originally forms the connectors molded together in a joined state. To substitute ultrasonic welds for a unitary molded assembly would add nothing other than time and expense to the manufacturing process. Therefore, there would be no reason to modify the connector assembly of Czaja by using ultrasonic weld, and the references provide no suggestion or motivation to do so.

Secondly, the Examiner's reliance on Bunn et al. is misplaced as being directed to non-analogous art. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." M.P.E.P. §2141.01(a) citing *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992). "A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem." M.P.E.P. §2141.01(a) citing *In re Clay*, 966 F.2d 656, 659 (Fed. Cir. 1992).

Bunn et al. discloses cell culture, immunological and molecular tools such as slides, wells, vessels and the like for use in research or diagnostic testing of biological test samples

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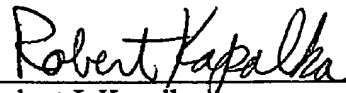
(column 1, lines 14-20). Bunn et al. is in no way concerned with electrical connectors, and therefore it is not in the field of applicant's endeavor.

Further, Bunn et al. is not reasonably pertinent to the particular problem with which the applicant was concerned. As stated in applicant's disclosure at page 2, lines 16-18, applicant was concerned with providing connectors that are joined in a removable or breakable manner. Bunn et al. is concerned with providing tools that are particularly suited for multiple activities associated with cell culturing and testing of biological test samples. In this regard, Bunn et al. discloses an ultrasonic welding process that removably bonds a plurality of wells (42) to a slide plate (32). However, the matter with which Bunn et al. deals, i.e., tools for biological test samples, is so far removed from applicant's field of concern as to make it illogical for applicant's attention to have been drawn to this reference.

For these reasons, applicant submits that the invention defined in the pending claims is not known or made obvious by the cited prior art.

Reconsideration and withdrawal of the rejections, and allowance of the claims, are respectfully requested.

Respectfully Submitted,



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